

ORDINANCE NO. 29-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, UPDATING THE CAPITAL IMPROVEMENT PLAN SCHEDULE IN THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH FOR FY 2023-24 TO FY 2027-28 IN ACCORDANCE WITH THE REQUIREMENTS OF POLICIES CIE 1.2.1. AND CIE 1.2.6 OF THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (City) exercised the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, inclusive, known as the “Community Planning Act,” and adopted the Always Delray Comprehensive Plan (Comprehensive Plan) update via Ordinance No. 19-19; and

WHEREAS, pursuant to Florida Statutes 163.3177(3)(b), the City is required to review the 5-Year Schedule of Capital Improvements in the Capital Improvements Element of the Comprehensive Plan on an annual basis; and

WHEREAS, pursuant to Policies CIE 1.2.1 and 1.2.6 of the Capital Improvement Element of the Comprehensive Plan, the City prepared a Five-Year Comprehensive Improvement Plan (CIP) for the period between FY 2023-24 to FY 2027-28, which addresses currently funded projects, projects under construction, and a five-year projection of projects costing more than \$25,000, and is described in “Table CIE-1 - Capital Improvements Plan, Five Year Capital Improvements Schedule for Projects > \$25,000” attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, pursuant to Policy CIE 1.2.6 of the Capital Improvement Element of the Comprehensive Plan, the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, has the responsibility to annually review the CIP and issue a statement of consistency with the Comprehensive Plan prior to the adoption of the CIP by the City Commission; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, considered this item at a public hearing on August 21, 2023, and voted 7 to 0 to provide a statement of finding that the 5-Year Capital Improvement Plan for FY 2023-24 through FY 2027-28 and the FY 2023-24 Capital Improvement Budget are consistent with the Comprehensive Plan; and

WHEREAS, at its meeting of September 18, 2023, the City Commission of the City of Delray Beach accepted the Planning and Zoning Board’s findings and adopted the list of capital projects contained in the 5-Year Capital Improvement Plan for FY 2023-24 to FY 2027-28 and the FY 2023-24 Capital Improvement

Budget; and

WHEREAS, at its meeting of September 18, 2023, the City Commission desired to update "Table CIE-1 - Capital Improvements Plan, Five Year Capital Improvements Schedule for Projects > \$25,000" in the Always Delray Comprehensive Plan to reflect the capital projects schedule for the years FY 2023-24 to FY 2027-28; and

WHEREAS, pursuant to Section 163.3177(3)(b), Florida Statutes, modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and not be deemed amendments to the Comprehensive Plan; and

WHEREAS, the City Commission of the City of Delray Beach considered the Ordinance and has considered the respective findings as set forth in the Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City held all duly required public hearings, in accordance with statutory requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. The City Commission of the City of Delray Beach finds that Ordinance No. 29-23 is consistent with the Comprehensive Plan, meets the Criteria set forth in the Land Development Regulations, and is in the best interest of the City.

Section 3. The City Commission of the City of Delray Beach, Florida, hereby declares its intent to exercise the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, inclusive, known as the "Community Planning Act."

Section 4. That "Table CIE-1 - Capital Improvements Plan, Five Year Capital Improvements Schedule for Projects > \$25,000" which is attached hereto as Exhibit "A" and incorporated by reference herein, is made part of the Capital Improvement Element in the adopted Comprehensive Plan for the City of Delray Beach.

Section 5. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to

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be invalid.

Section 7. This Ordinance shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on second and final reading on this 18th day of September, 2023.

ATTEST:

Katerri Johnson
Katerri Johnson, City Clerk

Shelly Petrolia
Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin
Lynn Gelin, City Attorney

First Reading 9/5/2023
Second Reading 9/18/2023



Exhibit A - Ordinance No. 29-23



TABLE CIE – 1 CAPITAL IMPROVEMENTS PLAN

TABLE CIE-1 - CAPITAL IMPROVEMENTS PLAN FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE FOR PROJECTS > \$25,000					
PROJECT & FUND	FY 2023-2024	FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028
SPECIAL PROJECTS FUND					
Tree Planting	325,000	325,000	325,000	-	-
Parking Technology Improvements	1,000,000	-	-	-	-
TOTALS:	1,325,000	325,000	325,000	-	-
RECREATION IMPACT FEE FUND					
Park Pavilion Replacement	100,000	50,000	50,000	50,000	50,000
Playground Updates	50,000	50,000	50,000	50,000	50,000
Pine Grove Playground Improvements	225,000	-	-	-	-
Restroom Trailer	115,000	-	-	-	-
Community Center A/C Replacements	50,000	-	-	-	-
Hilltopper Scoreboard	20,000	-	-	-	-
Mobile Stage	-	-	300,000	-	-
TOTALS:	560,000	100,000	400,000	100,000	100,000
BEAUTIFICATION FUND					
Maintenance of Parks Medians	100,000	-	-	-	-
TOTALS:	100,000	-	-	-	-
BUILDING FUND					
Building Division Reconfiguration	4,000,000	-	-	-	-
TOTALS:	4,000,000	-	-	-	-
GAS TAX FUND					
Andrews Avenue Safety Improvements	40,000	1,650,000	-	-	-
Public ROW ADA Improvements	450,000	475,000	500,000	500,000	500,000
TOTALS:	490,000	2,125,000	500,000	500,000	500,000
BEACH RESTORATION FUND					
Dune Management	150,000	150,000	150,000	150,000	150,000
Sea Turtle Nest Monitoring	103,000	106,090	109,273	112,551	115,927
Beach Nourishment - Monitoring	150,000	200,000	100,000	100,000	100,000
Blue Flag Beach Award Program	12,000	12,000	12,000	12,000	12,000
Travel & Training	5,300	-	-	-	-
Repair & Maintenance	10,000	-	-	-	-
Memberships	7,000	-	-	-	-
Beach Nourishment – FCCE Storm Repair Project	-	-	5,000,000	-	-
TOTALS:	437,300	468,090	5,371,273	374,551	377,927
GENERAL CONSTRUCTION FUND					
CRA - Pompey Park Community Center & Campus Improvements	20,700,000	25,000,000	-	-	-
CRA – Northwest Neighborhood Improvements	550,000	27,000,000	24,800,000	25,000,000	-
CRA – Artists Alley Drainage Improvements	300,000	-	-	-	-
CRA – Currie Commons Restrooms	600,000	-	-	-	-
CRA – Implementation of Old School Square Master Plan	500,000	-	-	-	-
TPA - Lindell Boulevard Bike/Pedestrian Improvements	3,575,000	3,410,000	-	-	-
TPA - Brant Bridge (Lindell Loop) Connector	321,000	2,200,000	1,357,000	-	-
TPA - Barwick Road Bike/Pedestrian Improvements	2,585,000	2,530,000	-	-	-
TPA - Germantown Road Improvements	1,275,000	8,800,000	6,050,000	-	-
TPA – Lawson Blvd Pedestrian Bridge	180,000	-	-	-	-
Crest Theatre A/C Replacement	150,000	150,000	150,000	150,000	150,000
DBHS Campus Improvements	210,922	-	-	-	-
PC Replacement	100,000	250,000	250,000	250,000	250,000
Fuel Dispenser Replacements	120,000	-	-	-	-
Fleet Software Update	115,000	-	-	-	-
Neighborhood Resource Center Improvements	65,000	-	-	-	-
Atlantic High School Artificial Turf	-	-	1,500,000	-	-
TOTALS:	31,846,922	69,840,000	34,125,000	25,400,000	400,000
INFRASTRUCTURE SURTAX FUND					
Roadway Restoration	100,000	2,500,000	2,500,000	2,500,000	2,500,000
Delray Beach Seaboard Air Line Railway Station Reconstruction	800,000	-	-	-	-
Replacement of Fire Station No. 113	5,000,000	2,000,000	-	-	-
SE 36 th Avenue / Gulfstream Boulevard Streetscape Improvements	2,000,000	-	-	-	-
N. Swinton Avenue Roadway / Utility Improvements	-	3,709,736	-	-	-
Swinton/Atlantic Avenue Intersection Improvements	-	4,400,000	-	-	-



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TABLE CIE-1 - CAPITAL IMPROVEMENTS PLAN FIVE YEAR CAPITAL IMPROVEMENTS SCHEDULE FOR PROJECTS > \$25,000					
PROJECT & FUND	FY 2023-2024	FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028
Contingency or Other Projects	100,000	-	-	-	-
Debt Payment	3,512,825	-	-	-	-
TOTALS:	11,512,825	12,609,736	2,500,000	2,500,000	2,500,000
WATER AND SEWER FUND					
Marine Way Seawall, Stormwater and Roadway Improvements	500,000	-	-	-	-
Membrane Softening Plant	12,293,750	28,917,500	54,140,000	29,586,250	-
Water Treatment Plant Improvements	4,000,000	1,500,000	1,000,000	-	-
New Wells	1,300,000	3,000,000	3,000,000	-	-
Upgrade to Telemetry System - SCADA	1,500,000	2,000,000	2,000,000	-	-
SCRWWTP-Deep Injection Well	2,000,000	-	-	-	-
South Pump Generator Replacement	2,000,000	1,500,000	-	-	-
Water Meter Replacements	5,100,000	5,000,000	-	-	-
Variable Frequency Drives (VFD) for South & North Pump Station	200,000	3,500,000	3,500,000	3,500,000	-
Replacement of Fluoride & Phosphate Chemical Tanks	750,000	50,000	-	-	-
WTP Filter Valve Actuator Replacement	800,000	800,000	-	-	-
Forcemain 50 to SCRWWTP Replacement	800,000	4,127,500	4,127,500	-	-
Hydrant Maintenance	250,000	-	-	-	-
Replacement of Utilities Generators	180,000	195,000	205,000	215,000	225,000
Reclaimed Water Area 5 & Connecting Services in Area 10 & 14	100,000	1,000,000	1,000,000	-	-
Upgrades to GIS Datasets	200,000	-	-	-	-
Tropic Isle Neighborhood Improvements	-	2,640,000	3,960,000	2,112,000	-
Pump Station 50 Upgrade	-	500,000	5,000,000	-	-
Owens Baker Tank Re-piping	-	1,500,000	-	-	-
Abandonment of Lift Station #80	-	225,000	-	-	-
Lift Station Fencing	-	101,250	101,250	101,250	-
Safety Grates for Lift Stations	-	180,600	180,600	180,600	-
Utility Locating & GIS Mapping	-	100,000	100,000	100,000	-
TOTALS:	31,973,750	56,836,850	78,314,350	35,795,100	225,000
MUNICIPAL GOLF COURSE FUND					
Golf Underground Fuel Tank	500,000	-	-	-	-
Historic Golf Course Restoration	125,000	-	-	-	-
Golf Cart Barn Roof Replacement	-	440,000	-	-	-
Cart Path Repair	-	100,000	-	-	-
Golf Course Equipment	-	150,000	450,000	150,000	150,000
Golf Club Equipment	-	150,000	450,000	150,000	150,000
DBGC Golf Club Renovation	-	135,000	100,000	100,000	-
TOTALS:	625,000	975,000	1,000,000	400,000	300,000
LAKEVIEW GOLF COURSE FUND					
Cart Path Repair	150,000	100,000	-	-	-
Golf Course Equipment	100,000	100,000	100,000	100,000	100,000
Cart Barn	200,000	-	-	-	-
Clubhouse Renovations	-	250,000	50,000	-	-
TOTALS:	450,000	450,000	150,000	100,000	100,000
STORMWATER UTILITY FUND					
Thomas Street Pump Station - Rebuild	2,200,000	3,000,000	-	-	-
Historic Marine Way Seawall, Roadway and Drainage Improvements	7,100,000	7,310,000	5,090,000	-	-
Coastal Resiliency Adaptation Plan	100,000	-	-	-	-
Tropic Isle Neighborhood Improvements	-	9,360,000	14,040,000	7,488,000	-
Replacement of Seawall	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Lakeview Drive Drainage Improvements	450,000	-	-	-	-
Stormwater Education Artwork	35,000	35,000	40,000	-	-
Fund Balance	130,000	271,500	550,900	1,101,900	629,254
TOTALS:	12,015,000	21,976,500	21,720,900	10,589,900	2,629,254
CEMETERY FUND					
Cemetery Mausoleum	750,000	750,000	-	-	-
TOTALS:	750,000	750,000	-	-	-
CITY GARAGE FUND					



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PROJECT & FUND	FY 2023-2024	FY 2024-2025	FY 2025-2026	FY 2026-2027	FY 2027-2028
Suppression Engine 0832	1,265,600	-	-	-	-
Aerial Truck	1,795,100	-	-	-	-
Rescue 1560	580,396	-	-	-	-
Street Sweeper	315,000	-	-	-	-
Vehicle Replacements	1,750,000	2,500,000	2,500,000	2,500,000	2,500,000
Suppression Engine 1131	-	-	-	1,320,000	-
Rescue 1668	-	-	-	609,396	-
Rescue 1763	-	-	-	-	639,865
Rescue 1769	-	-	-	-	639,865
Rescue 1762	-	-	-	-	639,865
Debt Payments	800,000	-	-	-	-
TOTALS:	6,506,096	2,500,000	2,500,000	4,429,396	4,419,595
RECREATION GO					
Public Restroom Renovation	2,000,000	-	-	-	-
Athletic Field Lighting	1,000,000	-	-	-	-
Beach Access Improvements	240,000	-	-	-	-
Replacement of Beach Master Plan Showers and Fountains	300,000	-	-	-	-
Main Beach Pavilion Structural Repairs	460,000	-	-	-	-
DBTC & DBST Locker Room Renovation	170,000	-	-	-	-
Hilltopper Elevator	165,000	-	-	-	-
Miller Park Elevator	165,000	-	-	-	-
Walking Trail Resurfacing	-	500,000	-	-	-
Pine Grove Enhancements	-	1,500,000	-	-	-
Miller Park Pickleball	-	1,000,000	-	-	-
Catherine Strong Athletic Complex	-	-	8,500,000	-	-
Hilltopper Stadium Turf	-	-	1,500,000	-	-
TOTALS:	4,500,000	3,000,000	10,000,000	-	-
PUBLIC SAFETY GO					
New Police Department Headquarters	3,250,000	2,000,000	42,750,000	32,000,000	-
Replacement of Fire Station 112	700,000	325,000	8,650,000	5,325,000	-
Ocean Rescue Locker Room & Storage	200,000	-	-	-	-
TOTALS:	4,150,000	2,325,000	51,400,000	37,325,000	-
CRA FUNDED PROJECTS					
CRA – Pompey Park Community Center & Campus Improvements	20,700,000	25,000,000	-	-	-
CRA – Northwest Neighborhood Improvements	550,000	27,000,000	24,800,000	25,000,000	-
CRA – Artists Alley Drainage Improvements	300,000	-	-	-	-
CRA Currie Commons Restrooms	600,000	-	-	-	-
CRA – Implementation of Old School Square Master Plan	500,000	-	-	-	-
TOTALS:	22,650,000	52,000,000	24,800,000	25,000,000	-
CIP 5 YEAR TOTAL	133,891,893	226,281,176	233,106,523	142,513,947	11,551,776